

REMARKS / ARGUMENTS

Claims 12 and 14, 15 and 17-33 are pending. Claim 12 has been amended and claim 16 has been cancelled without prejudice or disclaimer of any previously disclaimed subject matter.

Applicants note that the Examiner has requested copies of all references be submitted to be made of record as the USPTO apparently failed to scan the appropriate pages in the parent application. As previously noted, an Information Disclosure Statement was submitted on April 30, 2004 and most of the references were initialed by the Examiner. The references that were scratched through by the Examiner were then cited on a Form PTO-892. Because of this, Applicants believe that all references have already been made of record. However, to comply with the Examiner's request, a substitute Information Disclosure Statement and copies of all references will be submitted under separate cover.

Rejections under 35 U.S.C. §112

The Examiner has rejected claims 12 and 14-33 under 35 U.S.C. §112, second paragraph, for being indefinite. The Examiner alleges that the term "HIV related opportunistic infectious disease" is generic and renders the claim incompletely defined. Solely to promote prosecution and without agreeing with the Examiner, the term "HIV related opportunistic infectious disease" has been removed from claim 1, and claim 16 has been cancelled. Withdrawal of this rejection is respectfully requested.

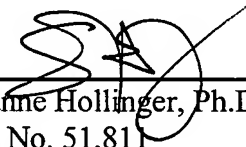
Double Patenting Rejections

The Examiner has rejected claims 12 and 14-33 for obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,680,303; over claims 1-10 of U.S. Patent No. 6,391,859; and over claims 1-10 of U.S. Patent No. 6,232,300. Applicants enclose a Terminal Disclaimer which disclaims the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 6,680,303, 6,391,859 and 6,232,300. Withdrawal of this rejection is respectfully requested.

Conclusion

Entry of the amendments and Terminal Disclaimer is respectfully requested. Applicants respectfully submit that the current response overcomes the Examiner's rejections. Withdrawal of all outstanding rejections is respectfully requested. The Commissioner is authorized to charge any deficiency, or credit any overpayment, to Deposit Account 11-0980.

Respectfully submitted,



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Date: October 10, 2007

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Attorney Docket No. 18085.105326 EMU 133 CON5